

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-2, 5 and 8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 1, 5, and 8 states that each node communicating with each other using a communications line without any separate signaling connection. However, the examiner can not find support for this limitation described in applicant's original disclosure. Applicant remarks filed on 12/07/10 only states this limitation is substantially different from cited prior art (Sjodin) since it Sjodin uses separate signaling connections.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1, 2, 5, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sjodin (US 2001/0003092) in view of Forman et al. (US 2003/0138085) and Masuhiro (US 2001/0003522).

Claim 8 is contains all the limitations elements of the claims 1, 2, and 5.

With regard to claim 8, Sjodin (see figures 4, 6- 7) teaches: A method of operating a multinode, cooperative, restricted access telecommunication network comprising a limited access multinode communication network and a plurality of nodes (NN, 10, 20, 30, 40) coupled to one another by said multinode communication network (see figure 1), each node comprises a private branch exchange (PBX) platform and each having a separate dialing plan (Page 3, paragraph 33), wherein each node has a copy of the dialing plan only for its node as a (PBX) platform (paragraph 33) and no other nodes and being operative to service multiple communication devices coupled thereto through the respective separate dialing plan for the respective node (paragraph 38, which states that node in which the device roamed to stores the authentication key), each communication device having an extension (portable unit number: PUN) within a respective dialing plan for the respective node to which it is connected that is used in

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the course of routing a call from a calling communication device to a called communication device as a queried target corresponding to a requested extension (paragraph 34), said method comprising the steps of:

(a) storing at each node the dialing plan that contains only communication device extensions that are coupled to said each respective node (page 4, paragraph 39: see step 220 in figure 5);

(b) in response to the placement of a call from a communication device coupled to a first node (step 300 in figure 6: page 4, paragraph 41), causing said first node to examine an associated dialing plan associated with that respective node so as to determine whether said first node is coupled to said called device (step 310: paragraph 41);

(c) in response to said first node determining that said first node is coupled to said called device, routing said call to said called device (step 310A: paragraph 41), but otherwise transmitting a query message (location request) from said first node to all other nodes of said network (step 320: paragraph 41), said query message being operative to inquire whether a respective node receiving said query message is coupled to said called device as a queried target (paragraph 41);

(d) at said all other nodes of said network examining respective call plans only therefor, so as to determine whether said called device is contained therein by examining at each node its local accounts to determine if the queried target is at the requested node (see steps 400 and 410 of figure 7: paragraph 42);

(e) at only a second node which is that one of said all other nodes of said network to which said called device is coupled (step 420: paragraph 42), transmitting a reply message to said first node indicating that said second node is coupled to said called device and has the queried target corresponding to the requested extension (see step 430 of figure 7 and step 330 of figure 6: paragraphs 41-42) while all other nodes ignore the query message and do not transmit a reply message indicative the all other nodes do not have the queried target as the requested extension for locating or routing (step 410A of figure 7: paragraph 42); and

(f) in response to receipt of said reply message by said first node, routing said call from said first node to said second node, so that said second node may complete the connection of said call to said called device without requiring a copy of dialing plans for all other nodes (step 340 of figure 6: paragraph 41).

Sjodin fails to disclose that the private branch exchange (PBX) platform operates as a switchboard.

However, Forman teaches in figure 2 that the switchboard that handles incoming calls for the telecommunication devices as being equivalent as a PBX (PBX, 225 in figure 2, see paragraph 28). Therefore, because these two were art-recognized equivalents at the time the invention was made, one of ordinary skill in the art would have found it obvious to have to PBX node will operate as a switchboard as taught by Forman in the PBX nodes of Sjodin.

The system of Sjodin teaches that location request or response messages are transmit on Internet while call is established in IDSN between nodes. Thus, Sjodin fails

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to disclose that each node communicating with each other using a communications line without any separate signaling connection.

However, Masuhiro teaches two IP-PBX based nodes communicate with each other via IP network or ISDN (see figure 1). In Masuhiro system the call is route through the internet and then it can switch to ISDN when packet network is congested (page 1, paragraphs 5-8). Since both systems of Sjodin and Masuhiro teach PBX based nodes with the ability to communicate with each other through Internet and ISDN, it would have been obvious to one having ordinary skill in the art at the time invention was made to have the nodes route the call to each other via the Internet as taught by Masuhiro in the system of Sjodin and Forman in order to reduce network cost. As a result of the system of Sjodin, Forman, and Masuhiro being able to route the call on the Internet, the node in the system will no longer have a separate signaling connection.

Response to Arguments

6. Applicant's arguments with respect to claims 1-2, 5, and 8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCUS R. SMITH whose telephone number is (571)270-1096. The examiner can normally be reached on Mon-Thurs: 8:30 am - 5:00 p.m. and Friday is a telework day.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pankaj Kumar can be reached on 571 272-3011. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MRS 2/1/11

/Pankaj Kumar/

Supervisory Patent Examiner, Art Unit 2467